

Personal or Substituted Service. 1-79

© 1977 BY JULIUS BLUMBERG, INC., PUBLISHER  
62 WHITE STREET, NEW YORK, N.Y. 10013

Supreme Court of the State of New York  
County of PUTNAM

Index No. 921/07  
Plaintiff(X) designates

KENNETH ALTIZIO,

PUTNAM  
County as the place of trial

The basis of the venue is

Plaintiff(X),  
Plaintiff's Residence  
Summons with Notice

- against -

MARRIOTT INTERNATIONAL, INC.,

Plaintiff(S) reside(S) at  
261 Hill Street  
Mahopac, NY 10541  
County of Putnam

Defendant(S).

To the above named Defendant(S)

**You are hereby summoned** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Dated, April 13, 2007

Defendant's Address: P.O. Box 29212  
Hot Springs, AR 71903-0376

Edward L. Ford, Esq.

Attorney(S) for Plaintiff(S)  
Office and Post Office Address  
175 Main St., Ste. 416  
White Plains, NY 10601  
(914) 997-5162

Notice: The nature of this action is Negligence

The relief sought is Compensatory Damages

Upon your failure to appear, judgment will be taken against you by default, ~~for the sum of \$10,000.00 with interest from the date of default to the date of judgment at the rate of 10% per annum.~~

State of New York, County of

ss.:

being duly sworn, deposes and says; that deponent is not  
a party to the action, is over 18 years of age and resides  
at  
That on 19 at No.

deponent served the within summons on  
defendant

INDIVIDUAL by delivering a true copy of each to said de-  
fendant personally; deponent knew the person  
so served to be the person described as said  
defendant therein.

1. ☐

a corporation.  
by delivering thereat a true copy of each to

CORPORATION personally, deponent knew said corporation so  
served to be the corporation described in said  
summons as said defendant and knew said  
individual to be

2. ☐

thereof

SUITABLE by delivering thereat a true copy of each to  
AGE PERSON

3. ☐

a person of suitable  
age and discretion. Said premises is defen-  
dant's actual place of business—dwelling  
house—usual place of abode—within the state.

AFFIXING TO by affixing a true copy of each to the door of  
DOOR, ETC. said premises, which is defendant's—actual  
place of business—dwelling house—usual place  
of abode—within the state. Deponent was un-  
able, with due diligence to find defendant or  
a person of suitable age and discretion, thereat,  
having called there

4. ☐

MAILING  
USE WITH  
3 or 4

☐

Deponent also enclosed a copy of same in a  
postpaid sealed wrapper properly addressed to  
defendant at defendant's last known residence,  
at

and deposited said wrapper in—a post office—  
official depository under exclusive care and  
custody of the United States Postal Service  
within New York State.

Index No.

Supreme Court of the State of New York  
County of

Plaintiff(s)

against

Defendant(s)

**Summons with Notice**  
**ACTION NOT BASED UPON**  
**CONSUMER CREDIT TRANSACTION**

Attorney(s) for Plaintiff(s)

Office, Post Office Address and Tel. No.

DESCRIPTION  
USE WITH

1 or 3 ☐ Deponent describes the individual served  
as follows; sex: ☐ male ☐ female:

<input type="checkbox"/> White Skin	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 lbs.
<input type="checkbox"/> Black Skin	<input type="checkbox"/> 5' 0" - 5' 3"	<input type="checkbox"/> 100 - 130 lbs.
<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> 5' 4" - 5' 8"	<input type="checkbox"/> 131 - 160 lbs.
<input type="checkbox"/> Brown Skin	<input type="checkbox"/> 5' 9" - 6' 0"	<input type="checkbox"/> 161 - 200 lbs.
<input type="checkbox"/> Red Skin	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 lbs.
<input type="checkbox"/> Black Hair	<input type="checkbox"/> Red Hair	<input type="checkbox"/> 11 - 20 Yrs.
<input type="checkbox"/> Brown Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 21 - 35 Yrs.
<input type="checkbox"/> Blond Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 36 - 50 Yrs.
<input type="checkbox"/> Gray Hair		<input type="checkbox"/> 51-65 Yrs.
		<input type="checkbox"/> Over 65 Yrs.

Other identifying features:

Sworn to before me on

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF PUTNAM

-----x Index No:

921/07

KENNETH ALTIZIO,

Plaintiff,

-against-

VERIFIED COMPLAINT

MARRIOTT INTERNATIONAL, INC.,

Defendant.

-----x  
Plaintiff, KENNETH ALTIZIO, as and for his Complaint, by his  
attorney, Edward L. Ford, Esq., alleges as follows:

AVZ  
1. Plaintiff resides at 261 Hill Street, Mahopac, NY 10541, County of Putnam and  
the State of New York.

D  
2. The Defendant, MARRIOTT INTERNATIONAL, INC., is organized and exists  
under and by the virtue of the Laws of the State of New York with its principal address as P.O.  
Box 29212, Hot Springs, AR 71903-0376.

D  
3. At all times herein after mentioned, upon information sufficient to form a belief,  
the Defendant, MARRIOTT INTERNATIONAL, INC., is located at 2200 Southwood Dr.,  
Nashua, NH 03063 more particularly described as follows: the Marriott Courtyard Hotel and  
parking lot.

D  
4. That at all times hereinafter mentioned, upon information and belief, the  
Defendant, Marriott International, Inc., maintained the aforesaid premises located at 2200

Southwood Dr., Nashua, NH 03063.

5. That at all times hereinafter mentioned, upon information and belief, the Defendant, Marriott International, Inc., controlled the aforesaid premises located at 2200 Southwood Dr., Nashua, NH 03063.

6. That at all times hereinafter mentioned, upon information and belief, the Defendant, Marriott International, Inc., operated the aforesaid premises located at 2200 Southwood Dr., Nashua, NH 03063.

7. That on or about the 16th day of January, 2007, the Plaintiff, KENNETH ALTIZIO, was lawfully upon the aforesaid premises.

8. That on or about the 16th day of January, 2007 the Plaintiff, KENNETH ALTIZIO, was caused to fall, thereby sustaining severe injuries to his body.

9. That the accident and resulting injuries were caused by the negligence, recklessness and careless of the Defendant herein.

10. That the Defendant was negligent, reckless and careless in allowing and/or permitting its premises, more specifically the parking lot area of its premises to be, become and remain in a dangerous and hazardous condition; in causing and/or permitting the parking lot area of said premises to be in a defective, dangerous and hazardous condition in that the said parking lot area was in a slippery condition; in that the said parking lot area was uneven; in that said parking lot was covered with snow and frozen ice; in failing to take those steps necessary to avoid the contingency which occurred herein; in allowing snow and ice to accumulate and become frozen and packed down; in failing to use that degree of caution prudence and care which was reasonable and proper under the controlling circumstances;

in failing to remove the ice from the parking area of said parking lot; and the Defendant its agents, servants and/or employees were in other ways, reckless and careless.

11. The Defendant, its agents, servants and/or employees had notice of the dangerous and defective condition or the condition had existed for a sufficient length of time prior to the happening of the accident herein alleged and in the exercise of reasonable care, the Defendant could or should have had knowledge and notice thereof.

12. That by reason of the foregoing, this Plaintiff was caused to sustain serious and severe personal injuries to his mind and body, some of which, upon information and belief, are permanent with permanent effects of pain, disability, disfigurement and loss of body function. Further, this Plaintiff was caused to expend and become obligated for diverse sums of money for the purpose of obtaining medical care and/or cure in an effort to alleviate the suffering and ills sustained as a result of this accident; the Plaintiff was caused to lose a substantial period of time from his normal activities and upon information and belief, may continue that way into the future and suffer similar losses.

13. That by reason of the foregoing, this Plaintiff was damaged.

W H E R E F O R E, Plaintiff demands Judgment against the Defendant and for such other and further relief as to this Court may seem just and proper.

DATED: White Plains, New York  
April 14, 2007

Yours, etc.

EDWARD L. FORD, ESQ.  
Attorney for Plaintiff

**Office & P.O. Address**  
**175 Main Street, Suite 416**  
**White Plains, NY 10601**  
**(914) 997-5162**

**TO: Marriott International, Inc.**  
**P.O. Box 29212**  
**Hot Springs, AR 71903-0376**

VERIFICATION

State of New York       )  
                                  ) ss.:  
County of Westchester)

KENNETH ALTIZIO, being duly sworn, deposes and says:

I am the Plaintiff in the within action; I have read the foregoing Complaint and know the contents thereof; the same is true to my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.

  
KENNETH ALTIZIO

Sworn to before me this  
17<sup>th</sup> day of April, 2007

  
Notary Public

Notary Public  
EDWARD L FORD  
No. 02F4786092  
Qualified in Rockland County  
Commission Expires Dec. 31, 2008

EDWARD L FORD  
Notary Public, State of New York  
No. 02F4786092  
Qualified in Rockland County  
Commission Expires Dec. 31, 2008  
2009

SUPREME COURT  
STATE OF NEW YORK, COUNTY OF PUTNAM

Index No.

Year 2007

KENNETH ALTIZIO,

Plaintiff,

-against-

MARRIOTT INTERNATIONAL, INC.,  
Defendant.

VERIFIED SUMMONS AND COMPLAINT

EDWARD L. FORD

ATTORNEY AT LAW

Attorney for Plaintiff

Post Office Address, Telephone

175 MAIN STREET, SUITE 416

WHITE PLAINS, N.Y. 10601

(914) 997-5162

To

Signature (Rule 130-1.1-a)

Print name beneath

Edward L. Ford

Service of a copy of the within is hereby admitted.

Dated:

Attorney(s) for

PLEASE TAKE NOTICE:

☐ NOTICE OF ENTRY

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order  
will be presented for settlement to the HON.  
within named Court, at

on

at

M.

Dated,

Yours, etc.

EDWARD L. FORD

of which the within is a true copy  
one of the judges of the